

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PEDRO JUAN GARCIA,

Plaintiff,

v.

ORDER

OFFICER FLAKY, SERGEANT FIELD,
LIEUTENANT CHRISTENSON, and
MENTAL HEALTH COUNSELOR SHARON,

16-cv-18-jdp

Defendants.

Pro se plaintiff Pedro Juan Garcia, a former detainee at the Eau Claire County Jail, asserts Fourteenth Amendment claims against jail officials, contending that they used excessive force and created unconstitutional conditions of confinement. On September 15, 2016, a day before the preliminary pretrial conference, defendants' counsel reported that Garcia had been released from the Eau Claire County Jail and that they had no contact information for him. Dkt. 31. The court issued an order and sent a copy of it to Garcia's halfway house, Garcia's last known location, explaining that Garcia had the responsibility to provide the court and defendants' counsel with his contact information. Dkt. 32 and Dkt. 33. The order also explained that if Garcia failed to provide the court with his mailing address and a telephone number by October 17, 2016, then the court would dismiss this lawsuit for Garcia's failure to prosecute it. Dkt. 32. The clerk's office left a voicemail message and a call-back number to Garcia's cell phone so that he could advise the court whether he wished to proceed.

Garcia has not provided the court with his contact information or his whereabouts. Accordingly, the court will dismiss this case for Garcia's failure to prosecute it.

ORDER

IT IS ORDERED that:

1. Pursuant to Federal Rule of Civil Procedure 41(b), this case is dismissed, without prejudice, for plaintiff Pedro Juan Garcia's failure to prosecute it.
2. The clerk of court is directed to send a copy of this order to plaintiff at his last known address and close this case.

Entered October 24, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge